

DIST/OFFICE	DOCKET		FILING DATE			J	N/S	O	R	R 23	DEMAND		JUDGE	JURY	DOCKET	
	YR.	NUMBER	MO.	DAY	YEAR						\$	100	OTHER	NUMBER	DEM.	YR.
1085/4	76	0103	3	9	76	3	370	1		P	attorney's fees	8510		P D	76	0103-C Class

PLAINTIFFS

BARBARA ANN COOKS, individually
and on behalf of all others
similarly situated

DEFENDANTS

PATTON FURNITURE COMPANY,
a corporation

CAUSE

15 U.S.C.A. Sec. 1640 (e) - Defendant sold property to plaintiff and
others similarly situated under agreement purporting to be a lease
agreement nevertheless was a credit sale within the meaning of 15 USCA
Sec. 1602 (g) - for sum substantially in excess of the aggregate value of
the property received - which fails to disclose the amount of the finance
charge.

ATTORNEYS

Linda E. Childers
~~1717 South Cheyenne~~ 201 W. 5th,
Tulsa, Oklahoma 74103 Suite 111
583-5557

Lantz McClain
430 Security Bldg.
Sapulpa, OK 74066
224-9355

W. Keith Rapp
520 Center Building
630 West Seventh
Tulsa, Oklahoma 74127
583-2624

Gary M. Jay
BOOTH & JAY
1419 So. Denver
Tulsa, Okla. 74119

☐ CHECK
HERE
IF CASE WAS
FILED IN
FORMA
PAUPERIS

FILING FEES PAID

DATE

RECEIPT NUMBER

C.D. NUMBER

STATISTICAL CARDS

CARD	DATE MAILED
JS-5	4-1-76
JS-6	7-1-77

DATE	NR.	PROCEEDINGS
<u>1976</u>		
3-9 3-16	1.	Complaint, filed, w/ <u>JURY DEMAND</u> . Summons issued. ph Summons, ret. & filed: served Eva C. Patton, Tulsa, Ok. 3-15-76. (USM \$3.72)g
4-2	2.	Pltf's. interrogs., filed. lm
4-2	3.	Pltf's. request for admission under Rule 36, filed. lm
4-5	4.	Deft's motion to dismiss, filed. ph
4-5	5.	Deft's brief in support of its motion to dismiss, filed. ph
4-6	MO:	It is ordered by the Ct. that the Pltf. file a responsive brief within 10 days to the deft's motion to dismiss.(HDC-J)ph cps mld
4-15	6.	Pltf's brief in response to deft's mo/dismiss, filed. ph
5-3	7.	Deft's ans. to pltf's interrogs, filed. ph
5-3	8.	Ans. to pltf's request for admission by deft., filed. ph
5-25	9.	Order, filed, overruling deft's motion to dismiss.(HDC-J)ph(cps mld)
6-8	10.	Deft's answer, filed. ph w/JURY TRIAL DEMANDED, w/leave to file out of time. (HDC-J)ph
6-22	MO:	Case set for PT on 8-27-76 at 2:30 p.m. (HDC-J)ph notices mld
6-22	11.	Request by pltf. for production of documents under Rule 34, filed. rm
6-22	12.	Motion of pltf. to compel def. to properly ans. interrogatories, filed. rm
6-22	13.	Motion of pltf. to determine sufficiency of def. ans. to request for admissions, filed. rm
6-22	MO:	Ordered by the Court that def. is granted 10 days to respond to pltf. mo/compel ans. and mo/determine sufficiency. (HDC-J)rm-letter
7-8	14.	Appl. of def. for ext. of time to respond to pltf. mo/ans. interrog. filed. rm (orig 7-2)
7-9	15.	Notice of taking deposition of Eva C. Patton on 7-16-76, filed. ph
7-12	--	Order, filed, that deft. has until 7-16-76 to resp. to pltf's Motion to ans. interrogs and determine sufficiency of Deft's ans. to req. for admissions.(HDC-J)ph cps mld.
7-12	--	Subpoena, ret & filed: served Eva C. Patton on 7-9-76 at Tulsa, OK. (USM \$2.72)ph
7-15	16.	Def. brief in response to pltf mo/compel ans. to interrog. & determine sufficiency of def. ans. to pltf. req. for adm., filed. rm
7-15	17.	Motion for protective order, limitation of scope of exam. and modifi- cation of subpoena d.t., and req. for prod. of documents, filed. rm
7-15	18.	Affidavit of W. Keith Rapp in support of mo/protective order, filed. rm
7-15	19.	Brief in support of def. mo/protective order, etcl., filed. rm
7-15	20.	Motion of def. for order protecting def. from annoyance, harrassment and interference of business relationships, filed. rm
7-16	MO:	Ordered by the Ct. that pltf. is granted 10 days to respond to def's mo/protective order & mo/protect def. from harrassment.(HDC-J)rm-letter
7-19	21.	Pltf's motion to strike, filed. ph
7-19	22.	Pltf's brief in support of motion to strike, filed. ph
7-19	MO:	It is ordered by the Court that the deft. file a resp. brief within 10 days to the Plaintiff's Motion to Strike.(HDC-J)ph cps mld

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT		DOCKET NO. <u>76-C-103-C</u>
BARBARA ANN COOKS		PATTON FURNITURE COMPANY		PAGE <u>3</u> OF <u>2</u> PAGES
DATE	NR.	PROCEEDINGS		
1976				
7-21	23.	Amended ans. to pltf's interrogs., filed by deft. ph		
7-21	24.	Amended ans. to pltf's request for admission, filed by deft. ph		
7-26	25.	Entry of appearance of Lantz McClain for pltf., filed. ph		
7-26	26.	Pltf's motion to hold witness in contempt for refusal to comply with subpoena duces tecum, filed. ph		
7-26	27.	Pltf's motion to enforce compliance with subpoena duces tecum, filed. ph		
7-26	28.	Pltf's motion to compel production of documents, filed. ph		
7-26	29.	Brief in support of pltf's mo/enforce compliance w/subpoena duces tecum, mo/hold witness in contempt for refusal to comply w/subpoena duces tecum, mo/compel production of documents, and in resp. to various motions of deft. filed July 15, 1976, filed. ph		
7-26	30.	Pltf's resp. brief in support of pltf's mo/compel deft. to properly ans. interrogs. and determine sufficiency of deft's ans. to pltf's requests for admissions, filed. ph		
7-26	31.	Appl. of pltf. for stay pending filing of deposition, filed. ph		
7-26	32.	Order to show cause, filed, that hearing is set for 8-25-76 at 1:30 p.m. on Pltf's motion to hold witness in contempt for refusal to comply with subpoena duces tecum. (HDC-J)ph cps mld; cpy served on Eva Patton by Marshal.		
7-27	MO:	It is ordered by the Ct. that the deft. file a resp. brief within 10 days to the Plaintiff's motion to hold witness in contempt for refusal to comply with subpoena duces tecum; Motion to enforce compliance w/subpoena duces tecum; Motion to compel production of documents and Application for stay pending filing of deposition. (HDC-J)ph cps mld		
7-27	MO:	Case set for hearing on all pending motions on 8-25-76 at 1:30 p.m. (HDC-J)ph notices mld		
7-29	33.	Deft's brief in oppos. to pltf's motion to strike, filed. ph		
8-3	--	Order to show cause, ret & filed: Served Eva C. Patton on 7-28-76 at Tulsa, OK. (USM \$3.48)ph		
8-5	34.	Notice to take deposition of Barbara Ann Cooks on 8-18-76, filed. ph Subpoena issued.		
8-5	35.	Applic. for ext. of time (of deft) to file resp. brief to motions, filed. hm		
8-6	36.	Order, as part of appl., granting def. to 8/11/76 to file responsive brief, filed. (HDC-J)rm-copies mailed		
8-11	--	Return on U.S. Marshal's Service, Subpoena, fld. Served Barbara Ann Cooks in Sapulpa, OK, on 8-11-76 w/fees of \$9.68. v		
8-11	37.	Deft's brief in opposition to pltf's motions to hold witness in contempt To enforce compliance with subpoena duces tecum and to compel production of documents, filed. ph		
8-17	--	Deposition of Eva C. Patton taken on behalf of Pltf., on 7-16-76 in Tulsa before Ann Hart, L.S.R., w/fees of \$51.00 pd. by Pltf., fld. v		
8-25	38.	Pltf's appl. to file affidavits of Barbara Cooks & Lantz McClain out of time, filed.k 0 to J		
8-25	39.	Notice of filing deposition, filed. hm		

COOK

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>76-C-103</u>
BARBARA ANN COOKS		PATTON FURNITURE COMPANY	PAGE <u>4</u> OF <u>2</u> PAGES
DATE 1976	NR.	PROCEEDINGS	
8-26	--	Deposition of Willa Walton on 6-16-76 at Tulsa, OK. (A. Hart-SR)ph	
8-26	--	Sworn statement of Vitares Buchanan taken on 8-4-76 at Tulsa, OK, filed. (A. Hart-SR)ph	
8-26	--	Sworn statement of Christine Fields taken on 8-4-76 at Tulsa, OK, filed. (A. Hart-SR)ph	
8-26	MO:	Case called for hearing on pending motions. Statements made. Pltf. given 10 days to file applic. for certification as a class action. Parties state that following motions are now MOOT: motion to determine sufficiency of deft's answers to pltf's request for admission; motion to compel deft. to properly ans. interrog.; deft's mo/protective order, limitation of scope of examination & modification of subpoena duces tecum, & request for prod. of documents; pltf's motion to compel prod. of documents; and pltf's applic. for stay pending filing of deposition. On statement of counsel that pltf. will not interview any patrons of deft., Court <u>denies</u> deft's mo/order protecting deft. from annoyance, harassment & interference of business relationships. Both parties granted leave to file affidavits. Court <u>sustains</u> pltf's motion to strike as to 7 thru 12, & deft. given 10 days to amend ans. Pltf's motion to hold witness in contempt for refusal to comply with subpoena duces tecum; and pltf's motion to enforce compliance with subpoena duces tecum <u>denied</u> . Pltf. requests witness fee be refunded. Request denied. (HDC-J)hm	
8-26	40.	Affidavit of Linda E. Childers, filed. hm	
8-26	41.	Affidavit of Barbara Ann Cooks, filed. hm	
8-26	42.	Affidavit of Lantz McClain, filed. hm	
8-27	MO:	Pre-trial hearing held. Parties represented. Statements made. Pltf. given 10 days to file motion for S/J; deft. 15 days thereafter to respond. Deft. to file brief by 9-13 on intentional violation quest.; pltf. to respond 10 days thereafter. Pltf. to prepare PT order after ruling on motion for S/J. Court will advise when PT order is due. Deft's PT memorandum, filed in open court. (HDC-J)hm	
8-27	43.	Deft's PT memorandum, filed in open court. hm	
9-2	44.	Deft's amended answer, filed. ph w/JURY TRIAL DEMANDED.	
9-7	45.	Pltf's appl. for addit. time to file motions and briefs, filed. ph	
9-8	46.	Order (as part of appl), filed, granting pltf. addl. 5 days to file motion to certify as class action, mo/SJ & briefs, filed.(HDC-J)rm-copies mailed	
9-13	47.	Mitigation of liability (brief) filed by def., rm	
9-13	48.	Pltf's appl. to certify as class action, Rule 23 (c), filed. ph w/JURY TRIAL DEMANDED.	
9-13	49.	Pltf's brief in support of motion to certify as class action, filed. ph	
9-14	MO:	It is ordered by the Court that the deft. file a resp. brief within 10 days to the Pltf's appl. to certify as class action, Rule 23 (c). (HDC-J)ph ltr. mld	
9-20	50.	Deft's resp. to pltf's brief in support of motion to certify as class action, filed. ph	
9-20	51.	Entry of Appearance of Gary M. Jay for deft, Patton Furniture Co., filed. lm	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>76-C-103-C</u>
BARBARA ANN COOKS, et al		PATTON FURNITURE COMPANY	PAGE <u>5</u> OF <u>3</u> PAGES
DATE	NR.	PROCEEDINGS	
<u>1976</u>			
10-14	52.	Order, filed, certifying this action as a class action and directs the pltf. to give notice to all members of the class who can be identified through reasonable effort. (HDC-J)ph cps mld	
10-27	53.	Notice of taking deposition of Eva C. Patton on 11-15-76 at Tulsa, OK, filed. ph Subpoena issued.	
11-2	MO:	Ordered by the Court that a motion for S/J having not been filed by the pltf., the PT Order shall be filed no later than Friday, 11-12-76. (HDC-J)ph ltr. mld.	
11-2	54.	Subpoena, ret & filed: Served Eva C. Patton on 11-1-76 at Tulsa, OK. (USM \$2.72)ph	
11-11	55.	Deft's applic. for order staying filing of PT order, filed. hm	
11-12	56.	Order, filed, granting deft. until 12-10-76 to file PTO. (HDC-J)ph cps mld	
11-22	57	Pltf's interrogatories, filed. g	
11-23	58.	Defendant's Answers to Plaintiff's Interrogatories, filed. nb	
12-6	59.	Deposition of Eva C. Patton, filed. (P. Gile-LSR)ph (\$15 pd by pltf.)	
12-7	59.	Motion of the deft. for S/J, filed. ph	
12-7	60.	Deft's brief in support of deft's motion for S/J, filed. ph	
12-7	MO:	It is ordered by the Court that the pltf. file a resp. brief within 10 days to the Motion of the Defendant for S/J, (HDC-J)ph cps mld	
12-9	61.	Pltf's motion for judgment pursuant to Rule 56, filed. ph	
12-9	62.	Brief in support of pltf's motion for Judgment pursuant to Rule 56, filed. ph	
12-9	MO:	It is ordered by the Court that the deft. file a resp. brief within 10 days to the pltf's Motion for Judgment pursuant to Rule 56. (HDC-J)ph ltr mld	
12-10	63.	Pltf's appl. for stay to file resp. brief to mo/deft. for S/J, filed. ph <i>(continued order for 12-14-76 to 9-1-76)</i>	
12-10	64.	Pltf's appl. for continuance pursuant to Rule 56 (e) for hearing upon motion of deft. for S/J, filed. ph	
12-10	65.	Pltf's notice of taking deposition of James A. McCaffrey on 12-28-76 at OKC, filed. Subpoena issued. ph	
12-13		Deposition of Barbara Ann Cooks on behalf of deft., filed. (\$37.50)g	
12-13	66.	Order, filed, that pltf. be granted addit. 20 days to file resp. brief to motion of deft. for S/J and that hearing on said motion be continued pending the taking of the deposition of James A. McCaffrey. (HDC-J)ph cps mld <i>(see 12-14-76)</i>	
12-16	67.	Deft's appl. for order allowing deft. addit. time to file resp. brief to pltf's brief in support of mo/SJ, filed. ph <i>067</i>	
12-21	68.	Order, filed, granting def. addl. 20 days to file responsive brief to mo/SJ of pltf. (HDC-J)rm-copies mailed	
12-21		Sub. ret. & filed: served James A. McCafrey, Ok. City 12-14-76. (USM \$4.72)g	
<u>1977</u>			
1-7	69.	Deft's appl. for ext. of time to resp. to pltf's brief in support of pltf's mo/SJ, filed. ph (O to J)	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>76-C-103</u>
Barbara Ann Cooks		Patton Furniture Company	PAGE <u>6</u> OF <u>3</u> PAGES
DATE	NR.	PROCEEDINGS	
<u>1977</u>			
1-7	70.	Order, filed, that deft. is granted an addit. 20 days to file resp. brief to mo of pltf. for S/J. (HDC-J)ph cps mld	
1-10	71.	Pltf's appli. for additional 30 days to file response, filed. lm (o to J)	
1-10	72.	Order, filed, granting pltf. an addit. 30 days to file resp. brief to deft's motion for S/J. (HDC-J)hm (copiesmailed)	
1-31	73.	Deft's reply to pltf's brief in support of pltf's motion for S/J, filed. ph	
2-7	74.	Pltf's brief in resp. to deft's mo/SJ and supple. to pltf's mo/judgment pursuant to Rule 56, filed. ph	
3-15	MO:	Case set for hearing and oral arguments on deft's motion for S/J and pltf's motion for judgment purs. to R. 56 3-23-77 at 2:30 p.m. (HDC-J)hm (notices mailed)	
3-17	75	Pltf. appl to file amended compl w/amended compl attached. fld. ho	
3-17	MO	It is ordered by the Ct that the deft. file a responsive brief w/in 10 days to pltf. appl. to file amended compl. (HDC-J) cps mld. ho	
3-23	MO:	Hearing held on pltf's mo/judgment purs. to R. 56 and pltf's mo/amend and deft's motion for S/J. Statements made. Court makes findings and allows pltf. to file amended complaint. Deft. given 20 days to file ans. & pleadings to amended complaint. Deft's motion for S/J overruled and ruling on pltf's motion for judgment purs. to R. 56 is reserved. (HDC-J)hm	
3-23	76.	Amended complaint, filed. hm	
3-28	77.	Pltf's interrogatories, filed. hm	
3-28	--	Reporter's partial transcript of proceedings had on 3-23-77, filed. ph	
6-24	MO:	Hearing held in chambers re settlement. Joint applic. to de-certify cause as a class action, filed in open court, and granted. Order, approving decertification, filed in open court. Stipulation of dismissal, filed in open court. (HDC-J)hm	
6-24	78.	Joint applic. to de-certify cause as a class action, filed in open court. hm	
6-24	79.	Order, filed, decertifying cause as a class action. (HDC-J)hm (copies mailed)	
6-24	80.	Stipulation of dismissal, filed and entered, with prejudice. hm (copies mailed)	